



IT IS ORDERED as set forth below:

Date: October 15, 2018

Sage M. Sigler
U.S. Bankruptcy Court Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:	§	CHAPTER 7
	§	
AMERICAN UNDERWRITING	§	Case No. 18-58406-SMS
SERVICES, LLC,	§	
	§	
<u>Debtor.</u>	§	

**ORDER GRANTING MOTION FOR AUTHORITY TO ENTER,
MAINTAIN, CONTINUE, AND HONOR TAIL INSURANCE POLICY
AND PAY RELATED ADMINISTRATIVE EXPENSES**

This matter is before the Court on the *Motion for Authority to Enter, Maintain, Continue, and Honor Tail Insurance Policy and Pay Related Administrative Expenses* (Doc. No. 137, the “**Motion**”) filed by S. Gregory Hays, Chapter 7 Trustee (the “**Trustee**”) for the bankruptcy estate (the “**Estate**”) of American Underwriting Services, LLC, Debtor (the “**Debtor**”) in the above captioned case (the “**Case**”). Having reviewed and considered the Motion and any response(s) thereto, the record in this Case, and the record made at the hearing on October 10, 2018, after due deliberation thereon and finding that good cause exists for the entry of this Order and that no further notice or opportunity for hearing is required, it is hereby ORDERED that:

1. The Motion is GRANTED.
2. The Trustee is authorized, but not directed, to enter into, maintain, continue and honor the E&O Tail Policy¹ on behalf of the Estate and pay from funds available in the Estate all obligations arising therefrom, including any Tail Insurance Obligations and all payments by the Trustee of any Tail Insurance Obligations under the E&O Tail Policy made or to be made by the Trustee are hereby ratified and approved.
3. The Tail Insurance Obligations are ALLOWED as administrative claims of the Estate.
4. The Trustee is authorized, but not directed, to pay as administrative expenses from funds available in the Estate any Tail Insurance Obligations under the E&O Tail Policy as such obligations become due and all such payments by the Trustee are ratified and approved.
5. All applicable banks and other financial institutions are authorized to rely on the direction of the Trustee to pay amounts in accordance with this Order.
6. Neither the provisions contained herein, nor any actions or payments made by the Trustee pursuant to this order, shall be deemed an admission as to the validity of the underlying obligation or a waiver of any rights that the Trustee may have to subsequently dispute such obligation on any ground that applicable law permits.
7. Notwithstanding the relief granted herein and any actions taken hereunder, nothing herein shall create, nor is intended to create, any rights in favor of, or enhance the status of any claim held by, any person.

¹ Capitalized, but undefined terms set forth herein shall have the meaning ascribed to such terms in the Motion.

8. The Court finds and determines that the relief requested in the Motion is necessary to avoid immediate and irreparable harm.

9. Notwithstanding Bankruptcy Rule 6004(h), this order shall be effective and enforceable immediately upon entry hereof.

10. The Trustee is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order.

11. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation or interpretation of this order.

END OF ORDER

Prepared and Presented by:

LAW OFFICES OF HENRY F. SEWELL JR., LLC

/s/ Henry F. Sewell, Jr.

Henry F. Sewell, Jr.

Georgia Bar No. 636265

Buckhead Centre

2964 Peachtree Road NW, Suite 555

Atlanta, GA 30305

(404) 926-0053

hsewell@sewellfirm.com

COUNSEL FOR THE CHAPTER 7 TRUSTEE

DISTRIBUTION LIST

Henry F. Sewell, Jr., Esq.
Buckhead Centre
2964 Peachtree Road NW, Suite 555
Atlanta, GA 30305

Lindsay P.S. Kolba, Esq.
Office of the United States Trustee
362 Richard B. Russell Federal Building
75 Ted Turner Drive, SW
Atlanta, Georgia 30303

Gus H. Small, Esq.
Anna M. Humnicky, Esq.
Benjamin S. Klehr, Esq.
Two Paces West, Suite 200
2727 Paces Ferry Road
Atlanta, GA 30339